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RIGHT OF PEOPLES TO SELF-DETERMINATION
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-third year

Letter dated 4 August 1998 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have kept you abreast of the evolving situation in South Asia, which continues to deteriorate and which is becoming the cause of increasing concern for the international community.

In the wake of the nuclearization of South Asia, it has become imperative for both India and Pakistan to urgently and comprehensively address issues of peace and security, particularly those relating to nuclear and conventional restraint and stabilization, the avoidance of conflict and the adoption of confidence-building measures. The international community was unanimous in its view that the deterioration of the security situation in South Asia, and especially the more recent developments, were inescapably linked with the outstanding dispute of Jammu and Kashmir.

As you are well aware, Pakistan is committed to a meaningful dialogue with India on issues relating to peace and security in South Asia and the root cause of the tension between the two countries, namely, the Jammu and Kashmir dispute.

Last month, the Prime Minister of Pakistan went to Colombo in the hope of a positive outcome from a bilateral meeting with his Indian counterpart in the context of the summit of the South Asian Association for Regional Cooperation. In his inaugural address to the summit, the Prime Minister publicly announced Pakistan's willingness to resume a dialogue with India on the basis of the agreement reached between the two countries on 23 June 1997 at Islamabad.

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Unfortunately, the meeting in Colombo was fruitless. India was unwilling to discuss, with an specificity or urgency, the most important issues of peace and security, including confidence-building measures and Jammu and Kashmir, which the international community had been rightly urging should be addressed with positive action and without any loss of time. The Ministers for Foreign Affairs of the two countries, who met in Colombo following the meeting of the two Prime Ministers, also failed to make any headway. The Indian effort has been to dilute the core issues by merging them with issues of far lesser significance in a so-called 'composite approach' to the bilateral dialogue. This is contrary to the understanding reached at Islamabad on the mechanism for the dialogue.

In view of the negative Indian approach to the resumption of the dialogue, Pakistan considers it appropriate to hand over the attached list of confidence-building measures for adoption by India, in order to reduce the tense situation in Indian-held Kashmir and to ameliorate the lot of the Kashmiris (see annex).

The situation has been further compounded by the recent unprovoked Indian artillery and gun fire across a broad front along the line of control in Jammu and Kashmir, causing heavy civilian casualties and damage to property. This has worsened the overall situation considerably. We see this as a part of a pattern and regrettably, an intimidatory effort which cannot succeed. We are seriously concerned at a further possible deterioration, with unforeseeable consequences.

We believe that the international community should urge restraint upon India and counsel the resumption of dialogue. For our part, Pakistan is willing to immediately address issues of peace and security, including confidence-building measures and Jammu and Kashmir. We are also prepared to simultaneously agree on a calendar of meetings on all other issues on the agenda of the India-Pakistan dialogue as defined in the agreement of 23 June 1997.

I would like to reiterate that, in parallel with Pakistan's efforts to resume a meaningful dialogue with India, the United Nations should consider the following actions:

(a) A deeper engagement of the Secretary-General in resolving outstanding issues between India and Pakistan, and particularly the core issue of Jammu and Kashmir;

(b) The strengthening of the United Nations Military Observer Group in India and Pakistan (UNMOGIP) and the regular submission of its reports to the Security Council;

(c) The appointment of a special representative of the Secretary-General on Jammu and Kashmir.

I trust that these suggestions will be given the careful examination and follow-up that is demanded by the tense situation in South Asia.

I would be grateful if the present letter could be circulated as a document of the fifty-third session of the General Assembly under agenda items 112 and 113, and of the Security Council.

(Signed) Ahmad KAMAL
Ambassador
Permanent Representative

Annex

Confidence-building measures in Jammu and Kashmir

Proposed by Pakistan

We propose the following confidence-building measures with a view to bringing about a relaxation of tensions in Jammu and Kashmir:

(a) Strengthening of the United Nations Military Observer Group in India and Pakistan (UNMOGIP) and its authority to patrol on both sides of the line of control, with regular reports to the Security Council;

(b) Release of Kashmiri detainees;

(c) Removal of Indian army pickets in Srinagar and other Kashmiri towns and villages;

(d) Phased reduction of Indian troops from the towns and villages of Indian-held Kashmir;

(e) Cessation of search/arrest operations;

(f) Transmission of information about missing persons in Indian-held Kashmir;

(g) Stationing of the International Committee of the Red Cross and United Nations human rights monitors in Indian-held Kashmir;

(h) Recognition of the All Parties Hurriyat Conference as a legitimate Kashmiri representative.

India should consider the above suggestions in the context of efforts towards addressing the Jammu and Kashmir issue, which is the core problem between Pakistan and India.